

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	
	:	
v.	:	CRIMINAL NO. 16-428
	:	
DAVID T. SHULICK	:	

DEFENDANT’S REPLY IN SUPPORT OF DEFENSE EVIDENCE

The government seeks to preclude the defendant from presenting evidence of his “personal investments into a bank account owned by UEE.” This is nonsense. **The UEE account is the only account at issue in this trial – for both the tax and school fraud charges.** All loans went into this account; all payments from the school district went into this account; all expenses at issue in this case – personal and business – came out of this account.

The government has charged that the defendant committed tax fraud in the years **2009-2011** by paying personal expenses out of the UEE account – **the account into which the personal loans were deposited.** Therefore the defendant must be permitted to introduce evidence of personal funds put into this account for the years 2009-2011. That is directly relevant to the tax fraud charges.

It is also directly relevant to Counts One and Two. The government charges in the Indictment that money from the school district was used to pay personal expenses and other expenses not related to the Southwest School. **The school district money went into the UEE account. So did personal funds of Mr. Shulick.** Expenses were paid from this account. **It is for the jury to decide whether the personal expenses came from school district money, or**

from personal loans in the account. The school district money was **NOT** kept in a separate account.

Mr. Shulick lent the UEE account thousands of dollars. He personally funded the operation of Southwest School for six months before receiving the first PSD payment in January 2011. **The money he put into the UEE account is an essential part of the narrative, and goes not only to his intent, but demonstrates how he operated the Southwest School, as required by the contract.**

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Ann C. Flannery, counsel for defendant David Shulick, hereby certify that on this 13th day of April 2018, I caused a true and correct copy of the foregoing DEFENDANT'S REPLY IN SUPPORT OF DEFENSE EVIDENCE to be served by ECF upon all counsel of record, including the following:

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